

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

| | | |
|--|---|--------------------------------|
| DARIUS RAMSEY, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | Case No. 12-990-DRH-PMF |
| |) | |
| OFFICER MARVIN HENDERSON, et al., |) | |
| |) | |
| Defendants. |) | |
| <u>ORDER</u> | | |

HERNDON, Chief Judge:

Before the Court is defendant Officer Marvin Henderson and defendant the City of Belleville's motion to dismiss counts III through V of plaintiff Darius and Stephanie Ramsey's complaint (Doc. 13). Plaintiffs failed to timely respond to defendants' motion. Therefore, pursuant to Local Rule 7.1(c) of the Local Rules of the United States District Court for the Southern District of Illinois, the Court considers plaintiffs' failure to timely file a response as an admission on the merits of the motion. SDIL-LR 7.1(c). Accordingly, defendants' motion to dismiss counts III through V is granted (Doc. 13). Said counts are dismissed without prejudice.

IT IS SO ORDERED.

Signed this 10th day of December, 2012.

Digitally signed by
David R. Herndon
Date: 2012.12.10
12:35:17 -06'00'

**Chief Judge
United States District Court**